**THE HONOURABLE SRI JUSTICE V.ESWARAIAH**

**WRIT PETITION No :23442 of 2006**

**DATED:30-03-2007**

**BETWEEN:**

V.K.V.L.Narasimha Raju & 2 others.

**..... PETITIONERS**

**AND**

The Station House Officer,
Shameerpet,
Rangareddy District & 2 others.

**.....RESPONDENTS**

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**ORDER:**

Heard the learned counsel for the petitioners; learned Government Pleader for Home; learned Government Pleader for Revenue; and the learned counsel appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the inaction of the respondents 1 and 2 in accepting and entertaining the complaint/representation, dated 02-11-2006, of the petitioners herein, as illegal and arbitrary.

3. Petitioners made a representation, dated 02-11-2006, before the 1st respondent-Station House Officer for his intervention for protection of their legally vested rights in respect of the property admeasuring Ac.2.38 guntas in Sy.No.421, situated at Bommaraipet village, Shameerpet Mandal, Rangareddy District. It is stated that the 3rd respondent being the native of the said village interfering with their peaceful possession and enjoyment and creating peacelessness, and accordingly, the said representation has been filed to prevent the 3rd respondent from his unlawful activities against the petitioners.

4. It may not be just and proper for the police to interfere with the civil rights of the petitioners. If the 3rd respondent is illegally interfering with the property, and personal life and liberty of the

petitioners, it is always open for the petitioners to make a complaint against the 3rd respondent to deal in properly on the allegation that the 3rd respondent is committing a cognizable offence. If there is no dispute with regard to the right of the petitioners in respect of the said property, petitioners can as well file a complaint before the police for taking appropriate criminal action, but however

I am of the opinion that police cannot counsel in such matters.

5. Accordingly, the Writ Petition is dismissed with a liberty to the petitioners to take appropriate action against the 3rd respondent in accordance with law. No order as to costs.

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**V.ESWARAIAH, J**

30th March, 2007
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